

City of Chula Vista Locally Adopted Energy Standards Approval

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Action Requested of Efficiency Lead Commissioner: Lead Commissioner approval to bring this item before the full California Energy Commission for consideration and approval.

Business Meeting Date: March 14, 2012

Background: The California Public Resources Code establishes a process that allows cities or counties to adopt and enforce locally adopted energy standards that are more stringent than the statewide standards. This process, described in Section 25402.1(h)(2) and the *2008 Building Energy Efficiency Standards*, Title 24, Part 1, Section 10-106 (Standards), allow cities or counties to adopt new versions of the Standards before their statewide effective date (early adoption), require additional energy efficiency measures, or set more stringent energy budgets. The governing body of the city or county is required to make a determination that the standards are cost effective and adopt the findings at a public meeting. The city or county is required to file this determination of cost effectiveness with the Energy Commission. The Energy Commission must find that the standards will require the diminution of energy consumption levels permitted by the current Standards. The proposed local ordinance cannot be enforced until it is approved by the Energy Commission.

On January 12, 2012, the City Council of the City of Chula Vista submitted an application for approval for their local energy standards (amending section 15.12.030 of the City Municipal Building Code) which will meet or exceed the *2008 Building Energy Efficiency Standards (Title 24, Part 6 of the California Building Standards)*. The ordinance requires that newly constructed residential buildings within climate zone 10 and the City limits of the City of Chula Vista must comply with the Tier II cool roof requirements found in subsection A4.106.5 of the 2010 California Green Building Code Standards (*Title 24, Part 11 of the California Building Code*).

The Energy Commission approved a prior ordinance on December 16, 2009, which requires newly constructed residential buildings within the City of Chula Vista to exceed the energy efficiency requirements of Title 24, Part 6 by 15 percent or more. This newly proposed ordinance does not seek to change that requirement for residential buildings within climate zone 10 (inland climate with hot summers similar to San Bernardino/Riverside), only to make the voluntary options of Title 24, Part 11 Tier II cool roof provisions mandatory.

The City of Chula Vista has submitted the required cost effectiveness analysis within their application. The analysis considered newly constructed single and multi-family buildings within both climate zones 10 and 7 (mild coastal San Diego climate), which both exist within the City of Chula Vista. The analysis showed that the Title 24, Part 11 Tier II cool roof provisions were not cost effective for homes within climate zone 7,

which has far less cooling requirements than climate zone 10. Therefore, the City of Chula Vista restricted this ordinance to newly constructed residential buildings within climate zone 10 and the City of Chula Vista.

The City of Chula Vista has made a written commitment to enforce compliance with their Local Energy Standards and Title 24, Part 6. Energy Commission staff has found that the application meets all requirements under Public Resources Code Section 25402.1(h)(2) and Section 10-106 of Title 24, Part 1 and recommends it for approval.

The complete application including the full proposed ordinance and cost effectiveness analysis will be made available on the Energy Commission web site upon Energy Commission approval of the proposed ordinance.

Justification for Action Requested: Energy Commission staff has found that the application meets all requirements under Public Resources Code Section 25402.1(h)(2) and Section 10-106 of Title 24, Part 1. Energy Commission staff believes that the City of Chula Vista is to be commended for seeking to achieve the energy savings that result from their local energy ordinance.

Pros: If complied with as anticipated, the local ordinance will achieve additional energy savings beyond Title 24, Part 6. The City of Chula Vista is endeavoring to be a national leader by adopting this ordinance and keeping ahead of the requirements of the statewide standards. Its approval indicates the Energy Commission's support for this goal and for active enforcement of both the local ordinance and the statewide standards.

Cons: A possible con is that builders will react negatively to the local variation of requirements or additional costs that may result from complying with the local ordinance.

What Happens Next: Staff will bring the ordinance to the March 14, 2012 Business Meeting for approval.